

Docket No.: 10404.024.00-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Sylvain FRANGER, et al.

Application No.: 10/537,947

Filed: June 7, 2005

For: METHOD FOR PREPARING INSERTION
COMPOUNDS OF AN ALKALI METAL,
ACTIVE MATERIALS CONTAINING SAME,
AND DEVICES COMPRISING SAID ACTIVE
MATERIALS

Customer No.: 30827

Confirmation No.: 6876

Art Unit: TBA

Examiner: TBA

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Sir:

In response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In The
United States Designated/Elected Office (DO/EO/US) mailed October 24, 2005, Applicants
respectfully submits:

- Copy of Notification of Missing Requirements Under 35 U.S.C. 371 In The
United States Designated/Elected Office (DO/EO/US) dated October 24, 2005.
- Declaration and Power of Attorney
- Late Oath and Declaration Surcharge
- Check in the amount of \$130.00

02/21/2006 MKAYPAGH 00000098 10537947

02 FC:1617

130.00 OP

DC:50394069.1

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: February 16, 2006

Respectfully submitted,

By Valerie P. Hayes ^{Reg. No. 53,005}
for Song K. Jung
Registration No.: 35,210
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23 Rec'd PCT/PTO 16 FEB 2006

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|---|------------------------|-----------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/537,947 ✓ |
| | Filing Date | June 7, 2005 |
| | First Named Inventor | Sylvain FRANGER |
| | Art Unit | TBA |
| | Examiner Name | TBA |
| Total Number of Pages in This Submission | Attorney Docket Number | 10404.024.00 |

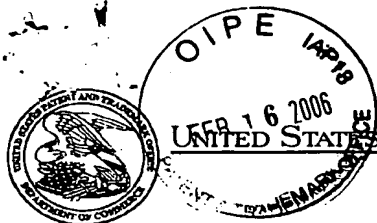
ENCLOSURES (Check all that apply)

| | | | |
|---|--|--|---------|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Notification of Missing Requirements <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none">• Copy of Notification of Missing Requirements dated 10/24, 2005• Declaration & Power of Attorney• Assignment Recordation Coversheet• Assignment of Application | |
| <table border="1"><tr><td>Remarks</td></tr></table> | | | Remarks |
| Remarks | | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|---|
| Firm or Individual name | for Song K. Jung; Reg No. 35,210 MCKENNA LONG & ALDRIDGE LLP |
| Signature | Valerie P. Hays Reg. No. 53,005 |
| Date | February 16, 2006 |

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/537,947

FIRST NAMED APPLICANT

Sylvain Franger

ATTY. DOCKET NO.

355901-1825

INTERNATIONAL APPLICATION NO.

PCT/FR03/50172

I.A. FILING DATE

12/15/2003

PRIORITY DATE

12/16/2002

38706
 FOLEY & LARDNER LLP
 1530 PAGE MILL ROAD
 PALO ALTO, CA 94304

RECEIVED
 OCT 28 2005
 FOLEY & LARDNER LLP

CONFIRMATION NO. 6876

371 FORMALITIES LETTER



OC000000017301255

10404.024
 RNR

Date Mailed: 10/24/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/07/2005
- Copy of the International Search Report filed on 06/07/2005
- Copy of IPE Report filed on 06/07/2005
- Preliminary Amendments filed on 06/07/2005
- Information Disclosure Statements filed on 06/07/2005
- Oath or Declaration filed on 06/07/2005
- Request for Immediate Examination filed on 06/07/2005
- U.S. Basic National Fees filed on 06/07/2005
- Priority Documents filed on 06/07/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/537,947 | PCT/FR03/50172 | 355901-1825 |

FORM PCT/DO/EO/905 (371 Formalities Notice)